

Calendar No. 38118TH CONGRESS
1ST SESSION**S. 349****[Report No. 118–14]**

To amend title 5, United States Code, to authorize the appointment of spouses of members of the Armed Forces who are on active duty, disabled, or deceased to positions in which the spouses will work remotely.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 9, 2023

Mr. LANKFORD (for himself, Ms. SINEMA, Mrs. FISCHER, Mr. KING, Mr. SCOTT of Florida, and Ms. HASSAN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

APRIL 27, 2023

Reported by Mr. PETERS, with an amendment

[Insert the part printed in *italic*]

A BILL

To amend title 5, United States Code, to authorize the appointment of spouses of members of the Armed Forces who are on active duty, disabled, or deceased to positions in which the spouses will work remotely.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Military Spouse Em-
3 ployment Act”.

4 **SEC. 2. APPOINTMENT OF MILITARY SPOUSES.**

5 Section 3330d of title 5, United States Code, is
6 amended—

7 (1) in subsection (a)—

8 (A) by redesignating paragraph (3) as
9 paragraph (4);

10 (B) by inserting after paragraph (2) the
11 following:

12 “(3) The term ‘remote work’ refers to a par-
13 ticular type of telework under which an employee is
14 not expected to report to an officially established
15 agency location on a regular and recurring basis.”;
16 and

17 (C) by adding at the end the following:

18 “(5) The term ‘telework’ has the meaning given
19 the term in section 6501.”;

20 (2) in subsection (b)—

21 (A) in paragraph (1), by striking “or” at
22 the end;

23 (B) in paragraph (2), by striking the pe-
24 riod at the end and inserting “; or”; and

25 (C) by adding at the end the following:

1 “(3) a spouse of a member of the Armed Forces
 2 on active duty, or a spouse of a disabled or deceased
 3 member of the Armed Forces, to a position in which
 4 the spouse will engage in remote work.”; and

5 (3) in subsection (c)(1), by striking “subsection
 6 (a)(3)” and inserting “subsection (a)(4)”.

7 **SEC. 3. GAO STUDY AND REPORT.**

8 *(a) DEFINITIONS.—In this section—*

9 *(1) the terms “agency” means an agency de-*
 10 *scribed in paragraph (1) or (2) of section 901(b) of*
 11 *title 31, United States Code;*

12 *(2) the term “employee” means an employee of*
 13 *an agency;*

14 *(3) the term “remote work” means a particular*
 15 *type of telework under which an employee is not ex-*
 16 *pected to report to an officially established agency lo-*
 17 *cation on a regular and recurring basis; and*

18 *(4) the term “telework” means a work flexibility*
 19 *arrangement under which an employee performs the*
 20 *duties and responsibilities of such employee’s position,*
 21 *and other authorized activities, from an approved*
 22 *worksite other than the location from which the em-*
 23 *ployee would otherwise work.*

24 *(b) REQUIREMENT.—Not later than 18 months after*
 25 *the date of enactment of this Act, the Comptroller General*

1 *of the United States shall conduct a study and publish a*
2 *report regarding the use of remote work by agencies, which*
3 *shall include a discussion of what is known regarding—*

4 (1) *the number of employees who are engaging in*
5 *remote work;*

6 (2) *the role of remote work in agency recruit-*
7 *ment and retention efforts;*

8 (3) *the geographic location of employees who en-*
9 *gage in remote work;*

10 (4) *the effect that remote work has had on how*
11 *often employees are reporting to officially established*
12 *agency locations to perform the duties and respon-*
13 *sibilities of the positions of those employees and other*
14 *authorized activities; and*

15 (5) *how the use of remote work has affected Fed-*
16 *eral office space utilization and spending.*

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